



**MINUTES  
VILLAGE OF SUGAR GROVE  
VILLAGE BOARD MEETING  
OCTOBER 6, 2026, 6:00 P.M.**

**1. Call to Order**

The meeting was called to order by President Stillwell at 6:00 pm.

**2. Pledge of Allegiance**

President Stillwell asked everyone to join her in the pledge of allegiance.

**3. Roll Call**

On October 6, 2026, the Village Board meeting was held in person at the Sugar Grove Library.

**Present:** President Susan Stillwell, Trustee Heidi Lendi, Trustee Nora London, Trustee Anthony Speciale, Trustee Sean Michels, Trustee Matthew Bonnie.

**Absent:** Trustee Michael Roskopf.

**Additional Attendees:** Village Administrator Scott Koepfel, Village Attorney Brian Miller, Police Chief Patrick Rollins, Deputy Police Chief Ramon Alcaraz, Public Works Director Brad Merkel, Finance Director Karin Johns, Community Development Director Danielle Marion, Village Clerk Tracey Conti.

**4. Public Hearing**

**a. Hannaford Farm Annexation Agreement Amendment for Lot 38 (956 Chestnut Hill Lane)**

Motion by Trustee Speciale, seconded by Trustee Lendi, to open the public hearing.

Director Marion stated that she has received the FILOD payment for lot 38. Once the FILOID has been received the annexation agreement needs to be amended to release any future obligations.

President Stillwell closed the public hearing.

**b. Hannaford Farm Annexation Agreement Amendment for Lot 123 (928 Redbud Lane)**

Motion by Trustee Speciale, seconded by Trustee Lendi, to open the public hearing.

Director Marion explained this FILOD payment has been received as well, and the annexation agreement needs to be amended.

President Stillwell closed the public hearing.

**c. Hannaford Farm Annexation Agreement Amendment for Lot 129 (1102 Redbud Lane)**

Motion by Trustee Speciale, seconded by Trustee Lendi, to open the public hearing.

Director Marion said the FILOD payment has been received, and the annexation agreement must be amended.

President Stillwell closed the public hearing.

**5. Proclamations**

**6. Presentations**

**7. Appointments**

**8. Airport Report**

**9. Executive Session**

- Personnel – 5 ILCS 120/2(c)(1)
- Litigation – 5 ILCS 120/2(c)(11)
- Property/Land Acquisition – 5 ILCS 120/2(c)(5)
- Sale of Property – 5 ILCS 120/2(c)(6)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

Motion by Trustee Michels, seconded by Trustee Speciale, to enter executive session to discuss Litigation – 5 ILCS 120/2(c)(11) at 6:04 pm.

**Ayes: Michels, Speciale, Lendi, London, Bonnie; Nays: None; Abstain: None; Absent: Roskopf.**

Motion by Trustee Speciale, seconded by Trustee Michels, to exit executive session and resume the meeting at 7:02 pm.

**Ayes: Speciale, Michels, Lendi, London, Bonnie; Nays: None; Abstain: None; Absent: Roskopf.**

**10. Public Comment on Scheduled Action Items**

- William Heimbigner commented on legal advice and secondary counsel.
- Jaden Chada commented on secondary counsel for the trustees.

**11. Consent Agenda**

a. **Approval:** September 15, 2026, Village Board Meeting Minutes.

b. **Approval:** Vouchers

Motion by Trustee Michels, seconded by Trustee Speciale, to approve the Consent Agenda as presented.

**Ayes: Michels, Speciale, Lendi, London, Bonnie; Nays: None; Abstain: None; Absent: Roskopf.**

## 12. General Business

**a. Ordinance: Hannaford Farm Annexation Agreement Amendment for Lot 38 (956 Chestnut Hill Lane).**

Director Marion stated that this is an ordinance to approve Hannaford Farm annexation agreement amendment for lot 38 due to the property owners paying the FILOD fee.

Motion by Trustee Speciale, seconded by Trustee Bonnie, to discuss and approve a Hannaford Farm Annexation Agreement Amendment for Lot 38 (956 Chestnut Hill Lane).

**Ayes: Speciale, Bonnie, Lendi, London; Nays: None; Abstain: Michels; Absent: Roskopf.**

**b. Ordinance: Hannaford Farm Annexation Agreement Amendment for Lot 123 (928 Redbud Lane).**

Director Marion stated that this is the same thing as the previous item but for lot 123.

Motion by Trustee Speciale, seconded by Trustee Michels, to discuss and approve Hannaford Farm Annexation Agreement Amendment for Lot 123 (928 Redbud Lane).

**Ayes: Speciale, Michels, Lendi, London, Bonnie; Nays: None; Abstain: None; Absent: Roskopf.**

**c. Ordinance: Hannaford Farm Annexation Agreement Amendment for Lot 129 (1102 Redbud Lane).**

Director Marion stated that this is an annexation amendment for lot 129.

Motion by Trustee Speciale, seconded by Trustee London, to discuss and approve Hannaford Farm Annexation Agreement Amendment for Lot 129 (1102 Redbud Lane).

**Ayes: Speciale, London, Lendi, Michels, Bonnie; Nays: None; Abstain: None; Absent: Roskopf.**

**d. Ordinance: Illinois Energy Conservation Code (IECC) 2024 And Appendix CC.**

Director Marion explained that this was discussed at a previous board meeting and the board discussed adopting the IECC and the Appendix CC. She said that the Village is required to enforce the latest energy code that the state adopts which would be the 2024 IECC, the appendix is optional. Prior, the board had only wanted to apply Appendix CC to data centers, staff had also been asked to look at neighboring communities. Out of the communities researched, Aurora and Elgin were the only ones who had responded saying they adopted this. The communities who did not adopt had reasons such as the possible difficulty attracting businesses. Director Marion also wanted to note that if the alternative energy is connected before the meter this could reduce the amount of utility tax that the Village would receive.

Trustee Speciale is opposed to this after finding out the utility tax could be affected and feels the Village needs all the revenue it can get.

President Stillwell wanted clarification on if this could hurt the Villages revenue. Director Marion said it could, but it all depends on how they connect the alternative energy, if it is connected before the meter, it would affect the Villages revenue. President Stillwell asked if there is any way to regulate the way it is connected, Director Marion does not believe there is.

Trustee Lendi asked if an amendment could be made if it is more astringent, Director Marion believes it is best not to make any amendments.

Trustee Speciales understanding is that if they connect on site and produce electricity then the Villages loses all the utility tax that would normally be collected, Administrator Koeppel said correct.

Administrator Koeppel said an example would be the solar farm at the water tank is called a behind the meter solar farm. The power generated the Village uses which means there isn't as much power from ComEd being bought. When power is bought from ComEd then utility tax is paid and that goes back to the Village, a data center would be a larger power user and create more revenue. He explained that in order to apply this they would like to put solar onsite that would reduce the utility tax.

Trustee London asked if this is for data centers only and doesn't affect other businesses. Director Marion said if it is adopted the Appendix CC would only apply to data centers.

Trustee Lendi asked if Elgin and Aurora have Appendix CC just for data centers, Director Marion believes they have it for more than data centers, but it was not specified. Trustee Lendi attended IML and she viewed a section on data centers and asked about Appendix CC. The response she received was that it wouldn't deter data centers, but it would have them go green. Administrator Koeppel added that some companies such as Meta do it anyways to be stewards of the environment. Trustee Lendi mentioned the strain on the power grid from data centers from surrounding communities as well as their effect on the Village.

Trustee London mentioned brown outs from data centers attaching to the grid without any green support which would be a reason to support Appendix CC.

Trustee Lendi said one thing that is unique about the energy code is that it touches the only area zoned that could accept a data center. She clarified that this would affect any previous agreements that have been approved.

Trustee Michels is not in favor of this amendment.

Motion by Trustee Michels, seconded by Trustee London, to discuss and approve Appendix CC.  
**Ayes: Lendi, London; Nays: Speciale, Michels, Bonnie; Abstain: None; Absent: Roskopf.**

Director Marion mentioned that the 2024 IECC also needs to be adopted, Attorney Miller said to bring this back at the next meeting.

**e. Approval: Amended 2026 Village Meeting Schedule.**

Chief Rollins explained that some off sight meetings have occurred at the Fire Protection District for the Police Commission and the Police Pension Board. He would like to move these meetings back to the police department in October and November with a change in time for some meetings as well.

Motion by Trustee Michels, seconded by Trustee Bonnie, to discuss and approve the Amended 2026 Village Meeting Schedule.

**Ayes: Michels, Bonnie, Lendi, London, Speciale; Nays: None; Abstain: None; Absent: Roskopf.**

**f. Ordinance: Amending Title 1, Chapter 9, of the Village of Sugar Grove Municipal Code Regarding the Retention and Selection of Special Legal Counsel for Legislative and Conflict Matters.**

Administrator Koepfel explained that this item was brought to the board on September 1<sup>st</sup> by two trustees to consider separate legal counsel. Village Code is silent on this and an ordinance has been created that would amend the code and allow for the Village to hire for separate legal counsel under specific terms.

(1)The Village Attorney declares in writing that a conflict of interest exists under the Illinois Rules of Professional Conduct precluding the joint representation of the Village President and the Board of Trustees; or

(2)The Board of Trustees, by a majority vote, determines that a legal dispute, controversy, or adverse legal position exists between the Executive Branch (Village President) and the Legislative Branch (Board of Trustees); or

(3)The Board of Trustees, by a majority vote, determines that independent legal advice, drafting, or investigative oversight is necessary regarding legislative duties, internal administrative inquiries, or corporate governance matters separate from general administrative legal representation.

If this is approved staff will need direction on the selection process for hiring counsel.

Trustee Lendi said it doesn't cost anything to pass this ordinance, and it doesn't cost anything to find counsel, it would be an hourly rate to have an attorney, Administrator Koepfel said yes.

Trustee London asked if there would be a retainer fee, Administrator Koepfel said it is up for negotiation, but the thought process is to have an hourly billing rate.

Attorney Miller clarified that staff would need to negotiate and it would need to come back to the board and then concerns could be addressed.

President Stillwell said the last time this was discussed it was mentioned that the state statute does not allow this. She did research and found a few other municipalities that allowed separate

legal counsel, but they had taken what the judge said for that certain case and put it in an ordinance. President Stillwell said this is not allowed in statute, but it is in case law, and she wouldn't be opposed if it matched the existing case. She wants to know where in this case does it say that trustees can hire a separate legal counsel.

Trustee Lendi asked Administrator Koeppel if this was based off other municipalities, he said he based it off research and what he could find.

President Stillwell believes there are only three municipalities in the state that have separate counsel such as Campton Hills. She said in state statute it says presidential appointment and in the case law that is where the ability to do this is.

Trustee Lendi said she did research as well at IML and talked to a municipal attorney and he said it is completely legal.

President Stillwell said the judge in Campton Hills said this needs to be for legislative services and not into executive.

Trustee Bonnie wanted to clarify that this would be a case-by-case basis, and a majority vote would be needed each time. Mentioning that an independent situation would need to come before the board to be voted on to use that attorney as a contractual employee.

President Stillwell feels that an attorney should have first reviewed this ordinance and be familiar with the case and doesn't want to have future lawsuits. She wants to go off another city's case law or have Vasselli Law review this.

Trustee Lendi asked if this would be a conflict of interest for Vasselli law to review this, President Stillwell is not sure.

President Stillwell has an issue because this is not state statute and there are only a few cases, she wants to reduce future conflicts.

Trustee Bonnie asked if there are any issues moving forward, could an amendment be made, Administrator Koeppel said yes.

Trustee Michels mentioned tabling this item, Trustee Lendi said what attorney do they have, if this is put in place then an attorney can look at the ordinance. Attorney Miller said if there is an active conflict and the board agrees there is a conflict yes, but the board has to clear this conflict. Trustee Lendi feels there shouldn't be a problem since this is legislative.

Trustee London asked if counsel could review this and determine if revisions are needed, Attorney Miller said yes.

Trustee Lendi wanted to know if this item was tabled when a response could be given and the ordinance revised; Attorney Miller gave a timeline.

Trustee Bonnie does not see a reason to table this item, he feels it would be good to have the ability to vote on having someone double check things.

President Stillwell feels it is important to have this wait to one more executive session could be held.

Trustee Lendi called the question.

Motion by Trustee Lendi, seconded by Trustee Bonnie, to call the question.

**Ayes: Lendi, Bonnie, London, Speciale, Michels; Nays: None; Abstain: None; Absent: Roskopf.**

Motion by Trustee Lendi, seconded by Trustee Bonnie, to discuss and approve Amending Title 1, Chapter 9, of the Village of Sugar Grove Municipal Code Regarding the Retention and Selection of Special Legal Counsel for Legislative and Conflict Matters.

**Ayes: Lendi, Bonnie, London, Speciale; Nays: Michels; Abstain: None; Absent: Roskopf.**

President Stillwell said this is a terrible idea for taxpayers and if there is a legal dispute with no case law that allows two different firms for any conflict it will be an unnecessary expense to residents. She would like to have another executive session before another counsel is brought in.

Trustee Speciale said this can still be reviewed by Attorney Miller and if an amendment is needed one can be made.

**g. Ordinance: Amending the Budget (Budget Amendment No. 1) For the Fiscal Year Beginning May 1, 2025, and Ending April 30, 2026, for Refuse Fund Expenditures and Revenues.**

Director Johns explained that this is a budget amendment for \$3,500 each ensure sure all amendments respect budget boundaries and limits.

Motion by Trustee Michels, seconded by Trustee Bonnie, to discuss and approve Amending the Budget (Budget Amendment No. 1) For the Fiscal Year Beginning May 1, 2025, and Ending April 30, 2026, for Refuse Fund Expenditures and Revenues.

**Ayes: Michels, Bonnie, Lendi, London, Speciale; Nays: None; Abstain: None; Absent: Roskopf.**

**h. Resolution: Authorizing the Transfer of Certain Surplus Funds for the Village of Sugar Grove for Fiscal Year 2026.**

Director Johns said this is a follow-up from the last board meeting regarding the transfer of \$50,000 from the general fund surplus to the police pension fund with the remaining surplus to go to the capital projects fund.

Trustee Michels asked if 25% is normal for municipalities to keep in their general fund. Director Johns said three months is the best practice and 25% in the general fund is recommended.

Administrator Koeppel says he has always recommended 25% in the general fund because the Village relies on property taxes quite heavily. There are times of the year where the Village dips down and there needs to be that 25% fund balance since there are large payments two parts of the year and sales tax regularly.

Trustee Michels asked Director Johns when a 6-month review will be done on the budget, she said in November and the tax levy will be discussed at the next meeting.

Motion by Trustee Michels, seconded by Trustee Bonnie, to discuss and approve Authorizing the Transfer of Certain Surplus Funds for the Village of Sugar Grove for Fiscal Year 2026.

**Ayes: Michels, Bonnie, Lendi, London, Speciale; Nays: None; Abstain: None; Absent: Roskopf.**

### 13. Public Comment

### 14. Discussion Items

#### a. Review Committee of the Whole.

Administrator Koeppel noted that this item was also added by trustees to discuss a Committee of the Whole. He stated that he did some research from other communities when these meetings are held compared to the Village. Other options would be having a Committee of the Whole on a separate night of a board meeting once a month. Other options would be a workshop night, or a hybrid meeting as needed.

He mentioned that Sugar Grove has limited meeting space and if they weren't held on board meeting nights staff would need to request a room from the library. The appointment authority for committees is with President Stillwell, staff time will be taken up as well with an agenda, minutes, board reports, packets, etc.

Trustee Speciale feels the board should continue doing what they're currently doing and go from there. He feels that meetings should be called as needed and to stick to the current format due to the space needs, Trustee Michels agrees. President Stillwell agrees and says it can be hard to get all board members together due to work, etc.

Trustee London feels as needed would be the best option to choose when meetings are held and to keep the communication going.

#### b. Data Center Text Amendment.

Director Marion mentioned that the board had directed staff to amend the data center requirements in Village Code. The proposed text amendment will eliminate the data center district completely from the code and move all existing regulations under another chapter in code. Additional requirements will be added that makes the Village more restrictive with data centers.

This amendment included requiring all data centers to be processed as a PUD, they need to enter into a development agreement with the Village, all definitions will be moved as well. Some

amendments the board wanted to see in addition to the PUD and development agreement were new application requirements, new distance from residential, all data centers to be connected to public water and sewer, screens requirements, generator requirements, annual reporting data, noise regulations, and vibration standards. Director Marion added energy standards as well due to previous board discussions which will be taken out since Appendix CC was not adopted.

The Plan Commission held the required public hearing and there were no objections. They made a motion to approve exhibit A with additional conditions of an annual report for the output of water and to prohibit wood fencing. Staff do not recommend adding these recommendations to the text amendment since they can already be addressed.

Trustee London said it looks like there are two iterations of the same thing regarding the amended title, Director Marion said it is a duplicate in the packet. She commented on the generators use for routine testing and times they made need to run them for longer and it could create a load shed and a restriction should be considered. Trustee Lendi said with load shedding the power company would ask if they're expecting high usage to prevent a brown out.

Administrator Koeppel wanted to add that in these situations ComEd will usually have an agreement with these power users.

Trustee Lendi said the question would be the occasional noise from the generators and the potential brown outs. Administrator Koeppel said it is not really brown outs, it is the bottom line for ComEd if they might have to pay more.

Trustee Lendi asked if Aurora has anything in their language about this, Director Marion said this came directly from theirs regarding the generators. Mentioning that this could be a deviation with a PUD if left in, Trustee Lendi agreed.

President Stillwell asked for clarification, Trustee London said she feels they need to decide whether to allow them but is presenting the fact that there are occasions where it might be advantageous for the entire power structure for them to go on generators. Will they be restricted or allowed for limited use, she doesn't want the area to have a potential power outage due to the generators. She feels they could also be encouraged to use solar power as well as Trustee Lendi had mentioned.

President Stillwell said she likes the way it is where data centers can only use the generators during a power outage and then a deviation could be discussed in the future.

Trustee London said that if a deviation is requested, they can be offered on a case-by-case basis, but it can't be done if ComEd were to tell the data center to be on generators for certain scenarios. She gave this example and mentioned the possible conflicts between ComEd and Village Code. Administrator Koeppel added that a deviation would come at the time of approval for data center zoning and then it would be asked to deviate from the code that doesn't allow generators to run when requested by ComEd. Director Marion added this would need to be

requested at the time of the PUD approval. Trustee Lendi clarified that various ordinances and variances would be requested and then a decision could be made.

**c. Brighton Ridge Final Plat of Subdivision Phase 2.**

Director Marion said that the Brighton Ridge Plat of Subdivision was approved by the board on July 1, 2025. This excluded one townhome lot due to a small portion of the lot located within a FEMA floodplain that needed to be removed prior to moving forward. The developer has now filled and regraded that removed this corner of the lot from the floodplain. They have now applied for a Final Plat of Subdivision for the single remaining lot.

The Plan Commission reviewed the plat at the September 16<sup>th</sup> meeting and recommended it for board approval.

Trustee Speciale asked for Director Marions opinion, she recommends approving the plat.

**d. Amending Title 6, Chapter 3, Section 6-3-4: Night Parking Exceptions.**

Deputy Chief Alcaraz explained that President Stillwell wanted to explore options for overnight parking. President Stillwell said there was roughly four families who communicated that they have more cars than driveway space. In Oswego they checked to make sure the garage wasn't being used for storage and then measured the driveway. She mentioned that there are those who are opposed to street parking as well as the fire department relaying that they are opposed as well.

Deputy Chief Ramon said officers drove through the area during weekends and weekdays and there are approximately 108 families that would be affected by this during the week and 118 during the weekend. He said exceptions are granted daily and hundreds of exceptions have been made to residents.

Trustee Lendi said a solution many don't like is to pave a section of the yard for extra parking. She explains she has mentioned this to many, and some do not want to get a permit. She takes life safety very seriously and because of that she is opposed to changing the code. Deputy Chief Alcaraz added this can also be an issue for Public Works to perform maintenance as well as buses.

Trustee London did a drive around on the area east of Municipal Drive and if more exceptions are made on street parking it could cause issues on very narrow roads. She expressed concern over the narrow roads and emergency vehicles, she feels public safety is a priority.

**15. Reports**

**a. Staff**

Administration – Administrator Koeppel reporting that he went with Director Marion and Chris Lemke went to Area 1 of The Grove and did a walk through. They also stopped at the Lennar site, and they have a model home built to explore.

He mentioned that October 15<sup>th</sup> is the soft opening for the police department and Saturday the 17<sup>th</sup> will be a ribbon cutting.

Police Department – Nothing to add.

Finance – Nothing to add.

Community Development – Director Marion explained that inspections are getting caught up and are now 2-3 days out, the new inspector is doing good as well.

Public Works – Trustee Lendi mentioned concern about e-bikes and scooters, Chief Rollins said he is working on something to post. Trustee Michels thinks a mailer should be considered, Administrator Koepfel stated there is a new law effect going into place January 1<sup>st</sup>. Trustee London wants to make sure this is done before the holiday season. Trustee Lendi asked if there is any way to reach out to schools to spread this information, Chief Rollins said there is a program at the school.

**b. Trustees**

Trustee Lendi – Trustee Lendi said there are many activities going on with the Kane County Forest Preserve posted on their Facebook and website. She said that the Sugar Grove Library has seal coated their parking lot, they will be holding early voting as well during October along with other events and crafts for youth.

Trustee Lendi attended the IML conference for all three days, and she picked up a lot of new information on data centers, administration, TIF, etc.

She wanted to clear up comments made on social media as well, she stated that when she votes she is only thinking of the Village and she is not interested in taking President Stillwell's position.

Trustee London – Trustee London also attended the IML conference and picked up new information and has passed this information on to Administrator Koepfel.

She added that there were some park openings as well such as the Black Walnut park.

Trustee Speciale – Nothing to add.

Trustee Michels – Nothing to add.

Trustee Bonnie – No report.

**b. President**

**16. Adjournment**

Motion by Trustee Speciale, seconded by Trustee Lendi, to adjourn the meeting at 8:23 pm.

**Ayes: Speciale, Lendi, London, Michels, Bonnie; Nays: None; Abstain: None; Absent: Roskopf.**

ATTEST:

/s/ Madeline Dossett

Madeline Dossett

Deputy Village Clerk

DRAFT